

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

QUALITY EQUIPMENT LEASING,	)	
LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	2:19cv309-MHT
	)	
SHAW TRANSFER TRUCKING	)	
LLC,	)	
	)	
Defendant.	)	

ORDER

The allegations of the complaint in this case are insufficient to invoke this court's original jurisdiction under 28 U.S.C. § 1332 (diversity of citizenship). To invoke original jurisdiction based on diversity, the complaint must distinctly and affirmatively allege each party's citizenship. See *McGovern v. American Airlines, Inc.*, 511 F. 2d 653, 654 (5th Cir. 1975) (per curiam). The allegations must show that the citizenship of each plaintiff is different from that of each defendant. See 28 U.S.C. § 1332; see also 2 James Wm. Moore, et al., Moore's

Federal Practice § 8.03[5][b] at 8-16 (3d ed. 2006).

The complaint here is insufficient because it does not properly indicate the citizenship of the parties, both of which are alleged to be limited liability companies. "[L]ike a limited partnership, a limited liability company is a citizen of any state of which a member of the company is a citizen." *Rolling Greens MHP, L.P. v. Comcast SCH Holdings L.L.C.*, 374 F.3d 1020, 1022 (11th Cir. 2004). The complaint must therefore allege "the citizenships of all the members of the limited liability company." *Id.* (And if the entity consists of several entities, the complaint must reflect the citizenship, or citizenships, of each and every entity based on the nature of that entity.)

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It is therefore the ORDER, JUDGMENT, and DECREE of the court that the plaintiff has until May 20, 2019, to amend the complaint to allege jurisdiction sufficiently; otherwise this lawsuit shall be dismissed

without prejudice.

DONE, this the 6th day of May, 2019.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE